

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Permit 11535 (Application 18098)

North Gualala Water Company

ORDER REVOKING PERMIT

SOURCE: FISH ROCK CREEK TRIBUTARY TO JACKASS CREEK

COUNTY: MENDOCINO

WHEREAS:

1. North Gualala Water Company (Permittee) is the water right holder of water right Permit 11535.
2. Permit 11535 authorizes the diversion of 0.16 cubic-foot per second (cfs) from January 1 to December 31 of each year. The time to complete construction and make full beneficial use of water under Permit 11535 elapsed on December 1, 1960 and December 1, 1961, respectively.
3. An order granting an extension of time in which to complete construction and make full beneficial use of water under Permit 11535 to December 1, 1964, was issued on March 21, 1962.
4. A second order extending the time within which to complete construction and make full beneficial use of water under Permit 11535 to December 1, 1967, was issued on August 25, 1965.
5. A third order extending the time within which to complete construction and make full beneficial use of water under Permit 11535 to December 1, 1970, was issued on March 22, 1968.
6. A fourth order extending the time within which to complete construction and make full beneficial use of water under Permit 11535 to December 1, 1975, was issued on April 2, 1971.
7. A fifth order extending the time within which to complete construction and make full beneficial use of water under Permit 11535 to December 1, 1985 and December 1, 1986, respectively, was issued on July 13, 1979.
8. A sixth order extending the time within which to complete construction and make full beneficial use of water under Permit 11535 to December 31, 1998, was issued on August 3, 1988.
9. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division), received a request (by Permittee's President) for revocation for Permit 11535 on March 3, 2010.
10. The Division interprets the Permittee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1410 and 1410.1.

THEREFORE:

It is ordered that Permit 11535 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

STATE WATER RESOURCES CONTROL BOARD

*ORIGINAL SIGNED BY
JOHN O'HAGAN FOR:*

*Victoria A. Whitney, Chief
Division of Water Rights*

Dated: JUL 23 2010



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18098

PERMIT 11535

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

WHEREAS:

1. Permit 11535 was issued to James H. Nash on September 4, 1958 pursuant to Application 18098.
2. Permit 11535 was subsequently assigned to North Gualala Water Company.
3. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
4. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 5 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

Dated: **AUGUST 03 1988**

Walter G. Pettit
for **Walter G. Pettit, Chief**
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18098

PERMIT 11535

LICENSE _____

ORDER CORRECTING AND AMENDING PREVIOUS ORDER

WHEREAS:

1. Permit 11535 was issued to James H. Nash on September 4, 1958 pursuant to Application 18098.
2. The permit was subsequently assigned to North Gualala Water Company.
3. An error has been discovered in the ORDER issued by the Board on July 28, 1987, and said Board has determine that good cause to correct the error exists.
4. Paragraph 11 of the permit should be amended to state R15W, rather than R15.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 11 on the permit be amended to read:

Within the service area of the North Gualala Water Company being within Sections 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27, 28, and 34, T11N, R15W, MDB&M and Sections 12 and 13, T11N, R16W, MDB&M; as shown on a map on file with State Water Resources Control Board.

Dated: JUNE 29 1988



W Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18098 PERMIT 11535 LICENSE

ORDER APPROVING A CHANGE IN THE PLACE OF USE AND AMENDING THE PERMIT

WHEREAS:

1. Permit 11535 was issued to James H. Nash on September 4, 1958 pursuant to Application 18098.
2. Permit 11535 was subsequently assigned to North Gualala Water Company.
3. A petition to change the place of use has been filed with the State Water Resources Control Board.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. Current Board policy requires inclusion of a maximum annual amount figure in permits for direct diversion projects.
6. Permit paragraph 7 pertaining to the continuity authority of the Board needs to be updated to conform to standard permit term 12 as contained in Section 780(a), Title 23, California Administrative Code.
7. Environmental review of the petitioned change revealed the need to add a special term providing protection for any rare or endangered plants which may be impacted by the change in place of use.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 11 of this permit regarding the place of use is amended as follows:

Within the service area of the North Gualala Water Company being within Sections 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27, 28, and 34, T11N, R15, MDB&M and Section 12 and 13, T11N, R16W, MDB&M, as shown on map on file with State Water Resources Control Board.

2. Paragraph 1 of the permit is amended to include the following:

The total annual diversion and use allowed under this permit and Permits 5431, 5432 and 14853 shall not exceed 1,730 acre-feet per annum.

(0000114)

3. Paragraphs 7 and 11 of this permit are deleted. A new paragraph 7 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

4. Paragraph 9 be added to Permit 11535 to read as follows:

Permittee shall conduct a rare and endangered plant survey, submit survey results to the State Water Resources Control Board and obtain prior written approval of survey results from the State Water Resources Control Board before extending water service to any currently undeveloped parcels of land within the new place of use north of mile 5.12. The required survey shall be performed by a qualified botanist acceptable to the Department of Fish and Game and include a determination of the occurrence of rare or endangered plants and identification of specific mitigation measures that will be employed to assure that rare and endangered plants population will not be significantly impacted.

Dated: JULY 28 1987

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18098

PERMIT 11535

LICENSE _____

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING PERMIT**

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE COMPLETED
ON OR BEFORE

DECEMBER 1, 1986 (0000008)

APPLICATION OF THE WATER TO THE PROPOSED USE
SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1986 (0000009)

2. The total annual diversion and use allowed under said Permit 11535 be limited to 68 acre-feet.

3. Paragraph 11 of the permit be amended to read as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.


The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and

(6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (0000012)

4. Paragraph 8 be added to the permit as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

Dated: JULY 13 1979


Michael A. Campos, Chief
Division of Water Rights

(d) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

4. Paragraph 8 be added to the permit as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Dated:

Michael A. Campos, Chief
Division of Water Rights

P11535

10-6-82 asg to North Guelala Water Company

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 11535

APPLICATION 18098

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 11535; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1975 (0000009)

DATED: APR 2 1971

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 18098

PERMIT 11535

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 11535; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970 (0000008)

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970 (0000009)

DATED: MAR 22 1968

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 18098

PERMIT 11535

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 11535; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

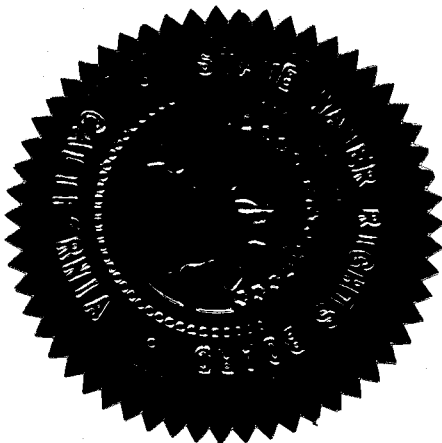
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967 (0000008)

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967 (0000009)

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD

THIS 25th day of August, 1965

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER



ORDER

APPLICATION 18098PERMIT 11535

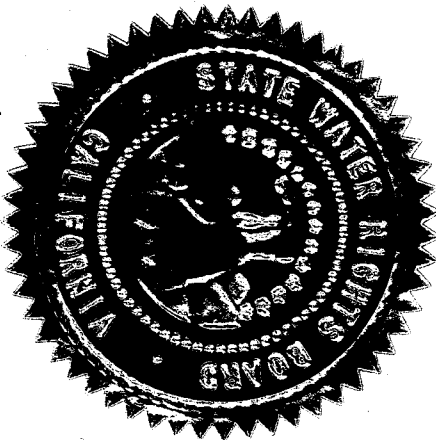
LICENSE _____

ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 11535, said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until **December 1, 1964**, within which to complete construction work and application of water to the proposed use under said permit. (0000008)
(0000009)

Witness my hand and the seal of the State Water Rights Board
this **21st day of March 1962**



L. K. Hill
L. K. Hill
Executive Officer

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 18098 Filed April 21, 1958 at 4:24 P.M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, James H. Nash (one)
Name of applicant
of 191 Yulupa Avenue, Santa Rosa
Address
County of Sonoma
State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, **SUBJECT TO VESTED RIGHTS:**

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Fish Rock Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Mendocino County, tributary to Pacific Ocean

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use .16 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use _____ acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between _____ and _____ of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational
_____ purposes.

4. The point of diversion is to be located 1400 feet due west from SE corner of projected Section
State bearing and distance or coordinate distances from section or quarter section corner

7, T. 11N., R. 15W., MDB&M

being within the SW¹ of SE¹
State 40-acre subdivision of public land survey or projection thereof

of Section 7, T. 11N., R. 15W., MD B. & M., in the County of Mendocino

5. The main conduit terminates in NW¹ of SE¹ of Sec. 7, T. 11N., R. 15W., MD B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from Creek Channel
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being _____ feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top, have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. Storage Reservoir
Name _____

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
Cross out two not used
Earth, rock, timber, etc.

(b) Pipe line: Diameter 3 inches; length 1500 feet; grade 200 feet per 1,000 feet; total ~~fall~~ lift from intake to outlet 300 feet; kind steel pipe
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is .25 cubic feet second
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is \$3500.00
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before November 1, 1958

Construction work will be completed on or before November 1, 1960

The water will be completely applied to the proposed use on or before November 1, 1968

Description of Proposed Use

11. Place of Use. N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 7, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, T11N, R15W, MDB&M.
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes Jointly?
Yes or No Yes or No

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____
Beginning date Closing date

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet \times fall \div 5.5

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will be returned to _____ in _____ of _____
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only
_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim
_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water ☒ will ☐ will not be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

and it ☒ will ☐ will not be returned to _____ in _____ of
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is _____ Domestic
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. 1 house at present plus projected building of
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type
200 homes and projected need of 500 gallons per day per house.
Industrial use, and unit requirements.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes If not,
Yes or No
state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? Yes If not, give name and
Yes or No
address of owner and state what steps have been taken to secure right of access thereto _____

20. What is the name of the post office most used by those living near the proposed point of diversion?
Gualala, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None Known

/s/

[SIGNATURE OF APPLICANT] James H. Nash

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 11535

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed sixteen hundredths (0.16) cubic foot per second to be diverted from January 1 to December 31 of each year.
2. The maximum amount herein stated may be reduced in the license if investigation so warrants.
3. Actual construction work shall begin on or before December 1, 1958, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.
4. Said construction work shall be completed on or before December 1, 1960.
5. Complete application of the water to the proposed use shall be made on or before December 1, 1961.
6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

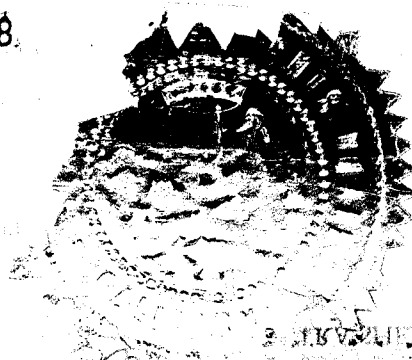
Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: SEP 4 1958

STATE WATER RIGHTS BOARD

L. K. Hill
L. K. Hill
Executive Officer



IMPORTANT
[Please Read Carefully]

1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
5. Please advise immediately of any change of address. Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.